IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

C.W.P. No. 15981 of 2006
Date of Decision: Nov. 30,2006

Mangal Singh ..... Petitioner

Versus

Director, Land Record, Jalandhar and others ..... Respondents

Coram: Hon'ble Mr. Justice Ashutosh Mohunta
Hon'ble Mrs. Justice Nirmal Yadav

Present: Mr. Ashok Singla, Advocate
for the petitioner.

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ASHUTOSH MOHUNTA, J. (Oral)

The petitioner has impugned the order passed by the Director Land Record, Jalandhar, dated 22.3.2006 (Annexure p-7) by which the petition under Section 42 of the Consolidation Act filed by the petitioner was dismissed.

The petitioner filed a petition under Section 42 of the Consolidation Act wherein it was averred that although the consolidation had been done in the village in the year 1954-55 but inadvertently the Consolidation Department did not provide any path to the petitioner and, therefore, now a path be provided to the petitioner through Khasra Nos.11//3/2, 3/1. It was averred that as no path has been provided to the petitioner, therefore, he finds it difficult to approach his fields.

A perusal of the impugned order shows that the land of the son of the petitioner adjoins his land and there is a path provided to the son of the petitioner. As the land of the petitioner as well as his son is in one compact block which adjoins the path, therefore, the petitioner is already using the path since 1954-55. This arrangement has been going on for the last 50 years as the consolidation had taken place in the village in the year 1954-55, therefore, the prayer of the petitioner for providing him a path has rightly been declined by the Director, Land Records, Jalandhar.

Apart from the above, the petitioner had given no reason as to why he has approached the Court after an inordinate delay of 50 years. It is obvious that the petitioner was satisfied with the path provided which was being used by his son and by himself.

In view of the above, we find no merit in this writ petition and the same is dismissed.

(ASHUTOSH MOHUNTA)
JUDGE

30.11.2006 **(NIRMAL YADAV)**
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